IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL.

Writ Petition No. 235 (S/S) 2007

1.Constable 50409 Navneet Tyagi S/o Sri Mahesh Chandra.
2. Constable 50205 Berester Kumar S/o Sri Yashpal Singh.
3. Constable 50728 Ajay Kumar S/o Sri Preetam Singh,
4. Constable 50325 Mahipal Singh S/o Sri Balhar Singh,
5.A.S.I.(M) Arun Kumar Saingupta S/o Sri Pati Mohan,
6. Constable 50678 Ajay Kumar S/o Sri Ram Singh,
All presently posted in 40th Battalion P.A.C.,
Haridwar, District Haridwar. .....Petitioner.

Versus

1. Union of India through its Chairman,
Central Advisory State Committee,
State Advisory Committee, Jawahar Lal Nehru Stadium,
Gate No. 31, Lodhi Road New Delhi-110003,
2. State of Uttarakhand through principal Secretary (Home), civil Secretariat, Dehradun,
3. Addl. Director General of Police,
(Administration), Police Head Quarter, Dehradun,
4. State of Uttar Pradesh through Principal Secretary (Home), U.P. Lucknow.
5. Addl. Director General of Police,
(Administration), Police Head Quarter,
Allahabad, U.P. .....Respondents.

Sri Vivek Shukla, learned counsel for the petitioners.
Smt. Anjali Bhargava, learned Standing Counsel for Union of India/respondent no.1,
Smt. Beena Pandey, learned Standing Counsel for State of U.P./respondents nos. 4 & 5,
Sri N.P. Sah, learned Standing Counsel for State of Uttarakhand/respondents nos. 2 & 3.

Hon'ble M.M. Ghildiyal, J.

Heard Sri Vivek Shukla, learned counsel for the petitioners, Smt. Anjali Bhargava, learned Standing Counsel for Union of India/respondent no.1, Smt. Beena Pandey, learned Standing counsel for State of U.P./respondent nos. 4 & 5 and Sri N.P.Sah, learned Standing counsel for State of Uttarakhand/respondent nos. 2 & 3.

By means of this writ petition, the petitioners have prayed for the following reliefs:-

(i) Issue a writ, order or direction in the nature of mandamus commanding and directing the respondents to take an immediate decision on the duly made requests of all the petitioners with regard to their mutual transfers,

(ii) Issue any other or direction which be deemed fit and proper under the facts and circumstances of the case in favour of the petitioners,

(iii) Award the cost of the writ petition to the petitioner.

Submission of the learned counsel for the petitioners is that the petitioners have applied for mutual transfer in pursuance of the Policy Decision taken by both the State, i.e. State of Uttar Pradesh and State of Uttarakhand on 6th September 2006, however their case has not been finalized by the respondents.

In the circumstances the petitioners are directed that they may make fresh representation before the appropriate authority for redressal of their grievances in pursuance of the aforesaid Policy Decision dated 6th September 2006 and the respondents are expected that they shall take decision on the representation, if any moved by the petitioners, within a period of three weeks' from the date of receipt of a certified copy of this order.

With these directions, the writ petition is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J.)

March 22, 2007:
NCM: